

United States District Court
 CLERK'S OFFICE
 CENTRAL DISTRICT OF MASSACHUSETTS

2004 JUN 14 P 1:20

DONALD P. SPEAKMAN, STEPHEN H. WEDEL
 and MARK L. ROBARE, Individually and On
 Behalf of All Others Similarly Situated, PLAINTIFFS
 U.S. DISTRICT COURT
 DISTRICT OF MASSACHUSETTS

V.

CASE NUMBER:

04-40077

ALLAMERICA FINANCIAL LIFE INS. & ANNUITY CO.,
 FIRST AMERICA FINANCIAL LIFE INS. CO., ALLAMERICA
 FINANCIAL CORP., JOHN F. O'BRIEN, EDWARD J.
 PARRY, III, RICHARD M. REILLY and JAMES E.
 BELLNER

TO: (Name and address of defendant)

JOHN F. O'BRIEN
 54 Kenberma
 Worcester, MA 01604

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Nancy Freeman Gans
 MOULTON & GANS, P.C.
 33 Broad St., Suite 1100
 Boston, MA 02109-4216
 (617) 369-7979

Stephen L. Hubbard
 Robert W. Biederman
 David M. Grossman
 HUBBARD & BIEDERMAN, L.L.P.
 1717 Main St., Suite 4700
 Dallas, TX 75201
 (214) 857-6000

an answer to the complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

TONY ANASTAS

CLERK

5-18-04

DATE

Amanda DiCapriano
 (BY) DEPUTY CLERK

AO 440 (Rev. 10/93) Summons in a Civil Action (Reverse)

RETURN OF SERVICE

Service of the Summons and Complaint was made by me ¹	DATE	June 2, 2004
NAME OF SERVER (PRINT) Nancy Freeman Gans	TITLE	Attorney
<i>Check one box below to indicate appropriate method of service</i>		

Served personally upon the defendant. Place where served: _____

Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left: _____

Returned unexecuted: _____

Other (specify): By delivering a copy of same in hand to Jonathan A. Shapiro, Esquire, Wilmer Cutler Pickering Hale and Dorr LLP, counsel to defendant John F. O'Brien, who agreed to accept service of same on behalf of said defendant.

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
0	0	0

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on June 10, 2004
Date


Nancy Freeman Gans
 Signature of Server
 Nancy Freeman Gans
 MOULTON & GANS, P.C.

Address of Server
 33 Broad Street, Suite 1100
 Boston, MA 02109-4216
 617-369-7979

FD-440 (Rev. 10/93) Summons in a Civil Action (Reverse)

RETURN OF SERVICE

Service of the Summons and Complaint was made by me ¹ NAME OF SERVER (PRINT)	DATE MAY 25, 2004
DANIEL GATELY	TITLE CONSTABLE

Check one box below to indicate appropriate method of service

Served personally upon the defendant. Place where served: _____

Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left: _____

Returned unexecuted: _____

XXX Other (specify): BY LEAVING AT THE LAST AND USUAL PLACE OF ABODE OF THE
WITHIN NAMED DEFENDANT JOHN F. O'BRIEN. SAID SERVICE WAS MADE AT
54 KENBERMA, WORCESTER, MASS. ALSO FIRST CLASS MAIL THIS SAME DAY.

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
\$20.00	\$65.00	\$85.00

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on MAY 25, 2004
Date


Signature of Server

707 E. 6th ST., SOUTH BOSTON, MASS.
Address of Server